PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE					
Applicant	:	Sonia E. Letant et al.	Docket No. :	IL-11138	
Serial No.	:	10/677,395	Art Unit :	1634	
Filed	:	October 1, 2003	Examiner :	Robert T. Crow	
For	:	FUNCTIONALIZED APERTURES FOR THE DETECTION OF CHEMICAL AND BIOLOGICAL MATERIALS			

Commissioner of Patents Alexandria, VA 22313-1450

AUTHORIZATION FOR FEE PAYMENT FOR TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT AND REFERENCE APPLICATION

- 1. A response in connection with the matter for which this authorization is provided:
 - is filed herewith
 - o has been filed.
 - the response is the filing of a file wrapper or other continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application.
- 2. Applicant is
 - a small entity verified statement:
 - attached
 - already filed.
 - other than a small entity
- 3. Fee Payment
 - Charge Account No. 12-0695 in the amount of \$130.00 each (2)

Total \$ 260.00

Charge Account No. 12-0695 for any additional extension and/or fee required or credit for any excess fee paid.

Dated: Number 13,2006

Reg No.: 53,193

Tel. No.: (925) 422-7073

John H. Lee

P.O. Box 808, L-703 Livermore, CA 94551

PTO/SB/26 (09-06)
Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

der the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) IL-11138				
In re Application of: Sonia E. Letant et al					
Application No.: 10/677,395					
Filed: 10/1/2003					
For: Functionalized Apertures for the Detection of Chemical and Biological Materials					
The owner*, <u>The Regents of the Univ. of California</u> , of <u>100</u> percent interest in the except as provided below, the terminal part of the statutory term of any patent granted on the instant the expiration date of the full statutory term prior patent No. <u>6,785,432</u> as the term of said and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The originated on the instant application shall be enforceable only for and during such period that it and the pagreement runs with any patent granted on the instant application and is binding upon the grantee, its said	application which would extend beyond prior patent is defined in 35 U.S.C. 154 owner hereby agrees that any patent so prior patent are commonly owned. This				
In making the above disclaimer, the owner does not disclaim the terminal part of the term of any paten would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened to	prior patent, "as the term of said prior				
Check either box 1 or 2 below, if appropriate.					
1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.					
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
2. The undersigned is an attorney or agent of record. Reg. No. 53,193					
- Signature .	Movember 9,2006				
laber II I are					
John H. Lee Typed or printed name					
	925-422-7073 Telephone Number				
Terminal disclaimer fee under 37 CFR 1.20(d) included.					
WARNING: Information on this form may become public. Credit card inform be included on this form. Provide credit card information and authorization					
*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.					

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.